

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5274

IN THE MATTER OF:

Served February 17, 1998

Application of LIMO. PLEASURES,	)	Case No. AP-97-64
INC., for a Certificate of	)	
Authority -- Irregular Route	)	
Operations	)	

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Applicant proposes commencing operations with one limousine. Applicant's proposed tariff contains airport transfer rates, hourly charter rates with minimum charges, and rates for special events.

Applicant filed a balance sheet as of June 30, 1997, showing assets of \$62,503; liabilities of \$68,152; and negative equity of \$5,649. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$45,000; other operating income of \$15,000; expenses of \$47,297; and net income of \$12,703.

Applicant certifies it has access to, is familiar with, and will comply with the Compact and the Commission's rules and regulations thereunder.

Although applicant's negative equity raises the issue of applicant's financial fitness, the record supports a finding in applicant's favor. An applicant must demonstrate financial fitness by showing the present ability to sustain operations during its first year under WMATC authority.<sup>1</sup> Applicant is a going concern operating

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<sup>1</sup> In re Best Transp. Servs., Inc., t/a BTS Airport Express, No. AP-97-18, Order No. 5088 (May 15, 1997); In re O. Oluokun, Inc.,

under authority from the Maryland Public Service Commission (MDPSC) and projecting positive cash flow during the first twelve months of WMATC operations. We have found other carriers fit under similar circumstances.<sup>2</sup>

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 424 shall be issued to Limo. Pleasures, Inc., 1820 Ponds Wood Road, Huntingtown, MD 20639.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

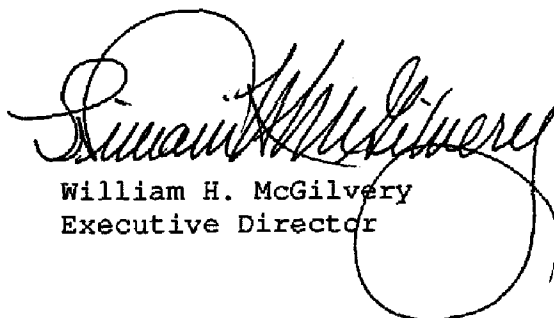
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t/a Montgomery County Limo & Montgomery County Shuttle, No. AP-96-15, Order No. 4852 (May 21, 1996).

<sup>2</sup> E.g., Order No. 5088 (MDPSC carrier projecting positive cash flow); Order No. 4852 (same).

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery  
Executive Director

